

Message Text

CONFIDENTIAL

PAGE 01 BONN 13009 01 OF 02 100035Z
ACTION EUR-12

INFO OCT-01 ISO-00 NSCE-00 SSO-00 L-03 SP-02 SS-15
CIAE-00 INR-07 NSAE-00 INRE-00 PA-01 PRS-01
USIE-00 NSC-05 /047 W
-----060836 100039Z /63/66

O R 091957Z AUG 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 0521
INFO AMEMBASSY BERLIN
AMEMBASSY MOSCOW
AMEMBASSY LONDON
AMEMBASSY PARIS
USMISSION USBERLIN

C O N F I D E N T I A L SECTION 01 OF 02 BONN 13009

PLEASE NOTIFY EUR/CE ON RECEIPT

C O R R E C T E D C O P Y FOR GARBLED IN PARA FOUR

E.O. 11652: GDS
TAGS: PGOV, BQG
SUBJECT: UK INSTRUCTIONS REGARDING LORENZ-DRENCKMANN
TRIAL

REFS: (A) STATE 185678; (B) BONN 12843; (C) BONN 12830;
(D) BONN 12813; (E) BONN 12426; (F) STATE 181702;
(G) BONN 12441

BEGIN SUMMARY: THE FCO IS CONCERNED THAT, AS EVIDENCED
BY THE FRG ACTIONS IN THE LORENZ CASE AND THE MAIHOFFER
VISIT TO BERLIN, THE FRG/ALLIED CONSULTATIVE MECHANISM
IS NOT WORKING AS IT SHOULD. RESPONDING TO THE INITIAL
FRENCH DEMARCHE IN LONDON, THE FCO HAS INSTRUCTED
THE UK REP TO RECOMMEND CONCRETE STEPS
WHICH ARE MORE MODERATE THAN THE FRENCH PROPOSAL AND
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BONN 13009 01 OF 02 100035Z

WHICH THE FRENCH HAVE INDICATED MAY BE ACCEPTABLE TO
THEM. END SUMMARY

1. IN RESPONSE TO THE AUGUST 2 FRENCH DEMARCHE TO
THE FCO IN LONDON ON THE FRG HANDLING OF THE LORENZ
TRIAL--WHICH PRESUMABLY PARALLELED THE FIRST FRENCH
DEMARCHE IN WASHINGTON (REF F)-- THE UK BONN GROUP

REP (EYERS) RECEIVED INSTRUCTIONS FROM THE FCO ON FURTHER TREATMENT OF THE MATTER IN THE BONN GROUP. EYERS INFORMED THE FRENCH BONN GROUP REP (RICHARD) ON AUGUST 5 AND THE US BONN GROUP REP ON AUGUST 8 OF THE CONTENT OF THOSE INSTRUCTIONS, AND THE ISSUE WAS DISCUSSED TRIPARTITELY ON AUGUST 9.

2. ACCORDING TO EYERS, HE WAS INSTRUCTED TO POINT OUT AT THE NEXT BONN GROUP SESSION ON THE LORENZ TRIAL THAT THERE WERE "DISTURBING SIGNS" THAT CONSULTATION BETWEEN THE FRG AND THE ALLIES ON BERLIN DOES NOT SEEM TO BE WORKING AS IT SHOULD. THE LORENZ CASE WAS ONE EXAMPLE; INTERIOR MINISTER MAIHOFFER'S INSTALLATION OF THE NEW OBERBUNDESANWALT AT THE FEDERAL ADMINISTRATIVE COURT IN BERLIN WAS ANOTHER. IN THE PAST, AN ACTION SUCH AS THAT BY MAIHOFFER HAS BEEN SEEN BY THE SOVIETS AS PROVOCATIVE. SUCH INCIDENTS MAKE IT DIFFICULT FOR THE ALLIES AND THE FRG TO PRESENT, AS THEY MUST, A UNITED FRONT ON MATTERS RELATING TO BERLIN.

3. THE FCO INSTRUCTION CONTINUES THAT IT IS NOW NECESSARY TO TAKE ALL POSSIBLE STEPS TO MINIMIZE THE DAMAGE CAUSED BY THE "INSENSITIVE" WAY IN WHICH THE FEDERAL PROSECUTOR'S INVOLVEMENT IN THE LORENZ CASE HAS BEEN HANDLED. IF COORDINATION DOES NOT MARKEDLY IMPROVE FROM NOW ON, IT WILL BE DIFFICULT TO CONSENT

CONFIDENTIAL

PAGE 03 BONN 13009 01 OF 02 100035Z

TO FUTURE TRIALS OF THIS KIND IN BERLIN.

4. EYERS SAID HIS INSTRUCTIONS NOTED THAT THE JULY 1976 ALLIED NON-PAPER RECOGNIZED THE PRACTICAL NECESSITY FOR THE ASSIGNMENT OF ATTORNEYS FROM KARLSRUHE TO THE BERLIN OFFICE OF THE FEDERAL PROSECUTOR, BUT STEPS WOULD HAVE TO BE TAKEN TO MAKE IT AS APPARENT AS POSSIBLE THAT THE TRIAL IS BEING RUN IN BERLIN AND NOT FROM KARLSRUHE. PRACTICAL MEASURES WHICH MIGHT BE TAKEN INCLUDE:

(A) OBERLE, HEAD OF THE FEDERAL PROSECUTOR'S OFFICE IN BERLIN, AND HIS DEPUTY, HELDENBERG, COULD BE FORMALLY APPOINTED TO LEAD THE PROSECUTION (THIS WOULD BE INTENDED TO REDUCE THE ADVERSE IMPRESSION GIVEN BY KAUL'S SIGNING OF THE INDICTMENT);

(B) THE LAWYERS WHO HAVE BEEN SECONDED FROM KARLSRUHE COULD BE ASSIGNED TO THE BERLIN OFFICE OF THE FEDERAL PROSECUTOR FOR THE DURATION OF THE TRIAL, ARRIVING THERE WELL IN ADVANCE AND REFRAINING FROM COMMUTING OSTENTATIOUSLY BETWEEN BERLIN AND KARLSRUHE;

(C) IF THE FEDERAL GOVERNMENT COULD REFER TO THE
INTERNAL ASSIGNATION ORDER OF 7 JULY (REF G), THIS

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 BONN 13009 02 OF 02 092005Z
ACTION EUR-12

INFO OCT-01 ISO-00 NSCE-00 SSO-00 L-03 SP-02 SS-15
CIAE-00 INR-07 NSAE-00 INRE-00 PA-01 PRS-01
USIE-00 NSC-05 /047 W
-----056841 092115Z /66

O R 091957Z AUG 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 0522
INFO AMEMBASSY BERLIN
AMEMBASSY MOSCOW
AMEMBASSY LONDON
AMEMBASSY PARIS
USMISSION USBERLIN

C O N F I D E N T I A L SECTION 02 OF 02 BONN 13009

WOULD BE HELPFUL;

(D) SUBSEQUENT OFFICIAL STATEMENTS ON THE CASE
COULD BE MADE IN BERLIN RATHER THAN BONN OR KARLSRUHE.

5. IN ADDITION, EYERS WAS INSTRUCTED TO CONTINUE TO
PRESS FOR ALLIED ISSUANCE OF A PRESS STATEMENT ALONG
LINES OF THAT IN PARA 8, REF E. IN LONDON'S VIEW THIS
WOULD GET ALLIED VIEWS ON THE RECORD AS SOON AS POSSI-
BLE AND CORRECT THE UNFORTUNATE IMPRESSION GIVEN BY
THE WIDESPREAD PRESS REPORTING OF RECENT STATEMENTS
BY THE FEDERAL LEGAL AUTHORITIES. AFTER THIS HAD
BEEN DONE, THE BONN GROUP COULD CONSIDER AT LEISURE
ANY OTHER MEASURES WHICH MIGHT BE NECESSARY TO
PROTECT THE ALLIED LEGAL POSITION IN BERLIN.

6. EYERS SAID THAT THE FCO STRESSED THAT THE
BRITISH AIM, LIKE THE FRENCH, IS TO SEE THAT AS LITTLE

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BONN 13009 02 OF 02 092005Z

UNNECESSARY PROVOCATION AS POSSIBLE IS GIVEN TO THE
RUSSIANS BY THE CONDUCT OF THE TRIAL, BUT THAT FOR
BOTH PRACTICAL AND POLITICAL REASONS IT WAS
NOT IN THE BRITISH VIEW REALISTIC TO REQUIRE THE FRG
TO GO BACK ON ITS DECISION TO ASSIGN LAWYERS FROM
KARLSRUHE TO BERLIN FOR THE DURATION OF THE TRIAL.

7. COMMENT: WE ARE REPORTING MORE FULLY BY SEPTTEL
ON TODAY'S TRIPARTITE DISCUSSION OF THE UK INSTRUCTIONS,
HELD PRIOR TO A FULL BONN GROUP MEETING SCHEDULED FOR
TOMORROW. THE UK POSITION IS MORE MODERATE THAN
THAT OF THE FRENCH, AND THE FRENCH REP HAS GIVEN
INDICATIONS THAT THE FRENCH MAY BE ABLE TO ACCEPT THE
UK POSITION IN LIEU OF THEIR OWN.
STOESSEL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL TRIALS, DEMARCHES, TERRORISTS
Control Number: n/a
Copy: SINGLE
Sent Date: 09-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BONN13009
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770304-0472, D770286-0751
Format: TEL
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770883/aaaacsfp.tel
Line Count: 191
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 4701dd5f-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 185678, 77 BONN 12843, 77 BONN 12830, 77 BONN 12813, 77 BONN 12426, 77 STATE 181702
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1668096
Secure: OPEN
Status: NATIVE
Subject: UK INSTRUCTIONS REGARDING LORENZ-DRENCKMANN TRIAL
TAGS: PGOV, GE, FR, BQG, (LORENZ, PETER), (DRENCKMANN)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/4701dd5f-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009